

EQUAL EMPLOYMENT PRACTICES COMMISSION CITY OF NEW YORK

RESOLUTION #10/12-846: Preliminary Determination Pursuant to the Audit of the Department of Parks and Recreation's (DPR) Equal Employment Opportunity Program from January 1, 2006 through December 31, 2008.

Whereas, pursuant to Chapter 36, Section 831(d)(2) of the New York City Charter, the Equal Employment Practices Commission (EEPC) is authorized to audit and evaluate the employment practices, programs, policies and procedures of city agencies and their efforts to insure fair and effective equal employment opportunity for minority group members and women and to make recommendations to city agencies to insure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy (EEOP), a set of uniform standards and procedures designed to ensure the equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, the Equal Employment Practices Commission audited the Department of Parks and Recreation's Equal Employment Opportunity Program; and

Whereas, in accordance with Chapter 36, Section 832(c) of the City Charter, the EEPC may make a preliminary determination pursuant to Section 831(d) that any plan, program, procedure, approach, measure or standard adopted or utilized by any city agency does not provide equal employment opportunity. Now, Therefore,

Be It Resolved,

that pursuant to the audit of the Department of Parks and Recreation's compliance with the City's Equal Employment Opportunity Policy, as well as Commission policies and EEO standards expressed in City guidelines, the Equal Employment Practices Commission hereby affirms and adopts the following preliminary findings:

1. Seventy-three percent of respondents to the *EEPC's Employee Survey* indicated they did not know the identity of the Disability Rights Coordinator, who is responsible for handling reasonable accommodation requests and ensuring compliance with all federal, state, and local laws, as well as City and agency policies, pertaining to persons with disabilities. (Sect. VB and VC, EEOP)
2. Complaints EEO 08-06 and EEO 08-08 did not contain an *Agency Complaint of Discrimination Based on Anonymous/Oral Complaint Form* or a complaint that captures the information required on this form. (DCPIG Sect. 10/12 and Appendix D)

3. Complaints EEO 08-02, EEO 08-03, EEO 08-10, and EEO 08-11, did not contain documentation that corrective action was taken as a result of the EEO Officer's investigation. (Sect. III and IV, EEOP and EEPC Position)
4. The confidential written reports for complaints EEO-08-02 and EEO 08-06 did not contain the agency head's signature to indicate that the final determinations were reviewed and approved. (Sect. VB, EEOP and Sect. 12b, DCPIG)
5. The agency did not maintain complete applicant logs (which include the *Division/Unit, JVN#, Civil Service Title, Office Title, Interviewers' Names, Applicants Names, Security Number, Ethnicity, Gender, Disability, Veteran, Interview Date, Result, Reason Selected/Not Selected, and Recruitment Source*) for all discretionary appointments. The applicant logs/rating sheets omitted information such as the reason for selection/rejection. (Sect. IV, EEOP and DCAS issued *Applicant Log*).
6. Although the agency conducted an assessment of its selection criteria for discretionary titles, the results of the study were inconclusive as to whether there was adverse impact on any particular racial, ethnic, disability, or gender group, or whether the agency head, Human Resources Director and EEO Officer used the results to determine a recruitment strategy for positions where underutilization existed. (Sect. IV, EEOP)
7. Sixty-nine percent of respondents to the *EEPC's Employee Survey* indicated they did not know the names of the persons responsible for providing career counseling in their agency. (12/14/ 2006 *Addendum to EEOP Standards and Procedures to Be Utilized By City Agencies (2005)* and Sect. VF, EEOP)
8. The agency's managerial performance evaluation form did not contain a rating for EEO – which covers responsibilities and processes for assuring that people are appropriately employed, effectively and efficiently utilized, and dealt with in a fair and equitable manner. (EEOP, Sect. VE)
9. Managers and supervisors did not emphasize their commitment to the agency's EEO policies and affirm the right of each employee to file a discrimination complaint with the EEO office at least twice a year during normal staff meetings. (DCAS, Model Agency EEO Commitment Memo and EEPC Position)
10. Appropriate documentation of meetings and other communications between the EEO Officer and the agency head regarding decisions that impact the administration of the agency's EEO program was not maintained. (Sect. VB, EEOP, and EEPC Position)

Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to Commissioner Adrian Benepe, formally informing him of the findings with appropriate explanations and recommendations and requesting, pursuant to Chapter 36 of the City Charter, his response to these findings within thirty days of receipts of the letter indicating what

corrective actions the Department of Parks and Recreation will take to bring it into compliance with the aforementioned policies and standards on equal employment opportunity.

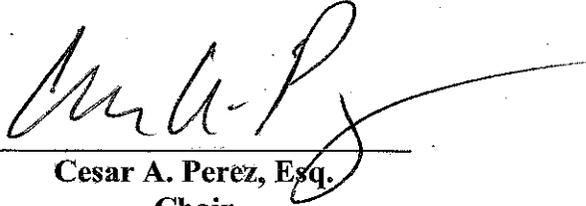
Approved unanimously on December 15, 2010.

Angela Cabrera
Commissioner

Malini Cadambi Daniel
Commissioner

Elaine S. Reiss, Esq.
Commissioner

Arva A. Rice
Commissioner



Cesar A. Perez, Esq.
Chair

**EQUAL EMPLOYMENT PRACTICES COMMISSION
CITY OF NEW YORK**

RESOLUTION #12/21-846C: Determination of implementation by the New York City Department of Parks and Recreation of the recommended corrective actions made by the Equal Employment Practices Commission pursuant to its audit of the Department of Parks and Recreation 's compliance with the Citywide Equal Employment Opportunity Program from January 1, 2006 to December 31, 2008.

Whereas, pursuant to Chapter 36, Section 831(d)(2) and (5) of the New York City Charter, the Equal Employment Practices Commission is authorized to audit and evaluate the employment practices, programs, policies, and procedures of city agencies and their efforts to ensure fair and effective equal employment opportunity for minority group members and women, and to make recommendations to city agencies to ensure equal employment opportunity for minority group members and women; and

Whereas, pursuant to Chapter 35, Section 814(a) (12) of the New York City Charter, the City established the Citywide Equal Employment Opportunity Policy, a set of uniform standards and procedures designed to insure equality of opportunity for municipal government employees and job applicants, and, consistent with federal, state and local laws, identified other groups for protection from discrimination in employment; and

Whereas, pursuant to its audit of the New York City Department of Parks and Recreation (DPR), the Equal Employment Practices Commission (EEPC) issued a preliminary determination letter, dated December 15, 2010 setting forth its findings and recommended corrective actions; and

Whereas, the DPR submitted its response to the EEPC's preliminary determination letter, on January 31, 2011; and

Whereas, , in accordance with Chapter 36, Section 832(c) of the New York City Charter, the EEPC issued its final determination on February 22, 2011, identifying those recommended corrective actions the Commission deemed appropriate; and

Whereas, DPR submitted its response to EEPC's final determination letter, on March 23, 2011; and

Whereas, the EEPC issued the compliance initiation letter dated April 8, 2011; and

Whereas, in accordance with Chapter 36, Section 832 (c) of the City Charter, the EEPC was required to monitor the DPR for a period not to exceed six months, from May 2001 through October 2011, to determine whether it implemented the aforementioned recommended corrective actions; and

Whereas, the Commission granted the Department of Parks and Recreation's request for an extension of the compliance monitoring period to complete implementation of the corrective actions; and

Whereas, the Department of Parks and Recreation submitted its Final Compliance Report on October 17, 2012; and

Whereas, all of the aforementioned recommended corrective actions are required by, or are consistent with, the City's Equal Employment Opportunity Policy; and

Whereas, the members of this Commission have reviewed a Compliance Summary Report prepared by EEPC staff, affirming that the aforementioned recommendations have been implemented to the Commission's satisfaction. Now Therefore,

Be It Resolved,

that the Department of Parks and Recreation has implemented the recommended corrective actions deemed necessary to ensure compliance with equal employment opportunity pursuant to the requirements of Chapters 35 and 36 of the City Charter.

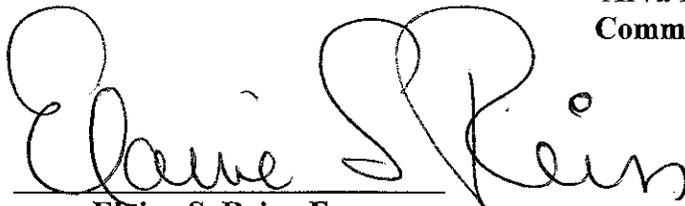
Be It Finally Resolved,

that the Commission authorizes the Chair, Cesar A. Perez, Esq., to forward a letter to the Commissioner of the Department of Parks and Recreation, Veronica White, formally informing her that the Department of Parks and Recreation has implemented the recommended corrective actions to the Commission's satisfaction.

Approved unanimously on October 18, 2012,

Malini Cadambi Daniel
Commissioner

Arva R. Rice
Commissioner



Elaine S. Reiss, Esq.
Commissioner

To: Employees
From: Commissioner Veronica White
Date: October 11, 2012
Re: Equal Employment Practices Commission Audit Recommendation

Recently, the Equal Employment Practices Commission (EEPC) completed an audit of Parks compliance with the City's Equal Employment Opportunity (EEO) Policy. At the conclusion of the audit the EEPC made the following list of recommendations:

- ✓ Parks Managers and Supervisors will reaffirm their commitment to the Agency's EEO policies, at least once a year, during staff meetings. During these meeting Managers/Supervisors will also indicate their availability to discuss EEO concerns in private and review procedures on filing an EEO complaint, should an employee wish to do so.
- ✓ Parks will maintain an electronic applicant log for discretionary positions. The log will include a column indicating "reason for selection".

I am pleased to announce that the above recommendations have been implemented and we are now in full compliance with the audit recommendations. I also wish to reaffirm my commitment to maintaining fair employment practices for all our employees. We are firmly committed to preventing discrimination by ensuring that all employees are aware of their rights and obligations under the EEO policy and by encouraging a work environment that tolerates and appreciates differences among employees.